

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



July 16, 2004

Regulation Package #0903-22

CDSS MANUAL LETTER NO. CCL-04-11

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22, DIVISION 6,  
CHAPTER 8, RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

**Regulation Package #0903-22****Effective 6/10/04****Sections 87101, 87691, 87701.1, 87702.1, 87703, 87704, 87705, 87707, 87709, 87710, and 87713**

This manual letter has been posted on the Office of Regulations Development website at [http://www.dss.cahwnet.gov/ord/Residentia\\_635.htm](http://www.dss.cahwnet.gov/ord/Residentia_635.htm).

In consultation with health care professionals, care providers and field offices it was decided that some Residential Care Facilities for the Elderly (RCFE) regulations were inconsistent with current common practice and/or difficult to use. RCFEs were accepting and retaining residents who have certain medical conditions that were previously not allowed. Some aspects of routine care for those medical conditions can be done safely by trained facility staff, however, the facility must first obtain approval from the licensing office. Provision of certain routine care requiring Licensing approval has become more common in facilities and obtaining licensing approval can delay a resident's admission and is time consuming for both the licensee and the licensing office. Emergency regulations addressing the aforementioned issues were implemented January 1, 2004. They also included the requirements for documentation, staff training and oversight required to obtain licensing approval.

As a result of testimony received during the public comment period, the emergency regulations were amended for clarity and consistency and those amendments are reflected in this manual letter.

These regulations were considered at the Department's public hearing held on February 11, 2004.

**FILING INSTRUCTIONS**

**Revisions to all manuals are indicated by a vertical line in the left margin.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-04-10. The latest prior manual letter containing Residential Care Facilities for the Elderly regulation changes was Manual Letter No. CCL-04-03.

**Page(s)****Replace(s)**

3 and 4  
11 and 12  
15 and 15.1  
122 and 123  
126 and 127  
133 through 143

Pages 3 and 4  
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Attachments

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**87101 DEFINITIONS (Continued)****87101**

- (2) Licensed Professional. "Licensed Professional" means a person who is licensed in California to provide medical care or therapy. This includes physicians and surgeons, physician assistants, nurse practitioners, registered nurses, licensed vocational nurses, psychiatric technicians, physical therapists, occupational therapists and respiratory therapists, who are operating within his/her scope of practice.
- (3) Licensee. "Licensee" means the individual, firm, partnership, corporation, association or county having the authority and responsibility for the operation of a licensed facility.
- (4) Licensing Agency. "Licensing Agency" means a state, county or other public agency authorized by the Department to assume specified licensing, approval or consultation responsibilities pursuant to Section 1569.13 of the Health and Safety Code.
- (m) (1) Medical Professional. "Medical Professional" means an individual who is licensed or certified in California to perform the necessary medical procedures within his/her scope of practice. This includes, but is not limited to, Medical Doctor (MD), Registered Nurse (RN) and Licensed Vocational Nurse (LVN).
- (n) (1) New Facility. "New Facility" means any facility applying for an initial license whether newly constructed or previously existing for some other purpose.
- (2) Nonambulatory Person. "Nonambulatory Person" means a person who is unable to leave a building unassisted under emergency conditions. It includes, but is not limited to, those persons who depend upon mechanical aids such as crutches, walkers, and wheelchairs. It also includes persons who are unable, or likely to be unable, to respond physically or mentally to an oral instruction relating to fire danger and, unassisted, take appropriate action relating to such danger.
- (3) Non-Compliance Conference. "Non-Compliance Conference" means a meeting initiated by the Department that takes place between the licensing agency and the licensee to afford the licensee an opportunity to correct licensing violations other than those that pose an immediate danger to residents and that may result in a corrective plan of action. Its purpose is to review the existing deficiencies and to impress upon the licensee the seriousness of the situation prior to the agency requesting administrative action to revoke the license. The Department may initiate administrative action without a non-compliance conference.
- (4) Nutritionist. "Nutritionist" means a person holding a master's degree in food and nutrition, dietetics, or public health nutrition, or who is employed by a county health department in the latter capacity.
- (o) (Reserved)

**87101 DEFINITIONS (Continued)****87101**

- (p) (1) Physician. "Physician" means a person licensed as a physician and surgeon by the California Board of Medical Examiners or by the California Board of Osteopathic Examiners.
- (2) Placement Agency. "Placement Agency" as defined in Health and Safety Code Section 1569.47(a), means any county welfare department, county social services department, county mental health department, county public guardian, general acute care hospital discharge planner or coordinator, state-funded program or private agency providing placement or referral services, and regional center for persons with developmental disabilities which is engaged in finding homes or other places for the placement of elderly persons for temporary or permanent care.
- (3) "PRN Medication" (pro re nata) means any nonprescription or prescription medication which is to be taken as needed.
- (4) Provision or Provide. Whenever any regulation specifies that provision be made for or that there be provided any service, personnel or other requirement, it means that if the resident is not capable of doing so himself, the licensee shall do so directly or present evidence satisfactory to the licensing agency of the particular arrangement by which another provider in the community will do so.
- (5) Provisional License. "Provisional License" means a temporary, nonrenewable license, issued for a period not to exceed twelve months which is issued in accordance with the criteria specified in Section 87231.
- (q) (Reserved)
- (r) (1) Rehabilitation. "Rehabilitation" means that period of time, together with any education, counseling or therapy, training, stable employment, restitution, remorse, changes in lifestyle, or community service, which assist an individual in reestablishing good character.
- (2) Relative. "Relative" means spouse, parent, stepparent, son, daughter, brother, sister, half-brother, half-sister, uncle, aunt, niece, nephew, first cousin or any such person denoted by the prefix "grand" or "great", or the spouse of any of the persons specified in this definition, even if the marriage has been terminated by death or dissolution.
- (3) Renewal Vendor Application. "Renewal Vendor Application" means the application form, LIC 9141, used to request approval from the Department to continue another two (2) years as an approved vendor.
- (4) Request to Forego Resuscitative Measures. A "Request to Forego Resuscitative Measures" is defined in Probate Code Section 4753(b).

**87101 DEFINITIONS (Continued)****87101**

- (B) A facility which is "providing care and supervision" as defined in Section 87101c.(2) includes, but is not limited to, one in which individual has been placed by a placement agency or family members.
- (C) A facility which is "held out as or represented as providing care and supervision" includes, but is not limited to:
  - (1) A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs.
  - (2) A facility where change of ownership has occurred and the same clients are retained.
  - (3) A licensed facility that moves to a new location.
  - (4) A facility which advertises as providing care and supervision.
- (D) A facility which "accepts or retains residents who demonstrate the need for care and supervision" includes, but is not limited to:
  - (1) A facility with residents requiring care and supervision, even though the facility is providing board and room only, or board only, or room only.
  - (2) A facility where it is apparent that care and supervision are being provided by virtue of the client's needs being met.
- (v) (1) Vendor. "Vendor" means a Department-approved institution, association, individual(s), or other entity that assumes full responsibility or control over a Department-approved Initial Certification Training Program and/or a Continuing Education Training Program.
- (2) Vendor applicant. "Vendor applicant" means any institution, association, individual(s), or other entity that submits a request for approval of an Initial Certification Training Program and/or a Continuing Education Training Program.
- (3) Voluntary. "Voluntary" means resulting from free will.
- (w) (1) Waiver. "Waiver" means a variance to a specific regulation based on a facility-wide need or circumstance which is not typically tied to a specific resident or staff person. Requests for waivers are made to the licensing agency, in advance, by an applicant or licensee.

**87101 DEFINITIONS (Continued)****87101**

(x) (Reserved)

(y) (Reserved)

(z) (Reserved)

NOTE: Authority cited: Sections 1569.23, 1569.30, 1569.616, and 1569.698, Health and Safety Code. Reference: 42 CFR 418.3; Sections 1569.1, 1569.2, 1569.5, 1569.10, 1569.145, 1569.15, 1569.153, 1569.157, 1569.158, 1569.17, 1569.19, 1569.191, 1569.193, 1569.20, 1569.21, 1569.23, 1569.31, 1569.312, 1569.33, 1569.38, 1569.44, 1569.47, 1569.54, 1569.616, 1569.626, 1569.699, 1569.73, 1569.74, 1569.82, 1797.196, and 1771, Health and Safety Code; Section 15610.13, Welfare and Institutions Code; and Sections 1800, 4615, 4650, and 4753, Probate Code.

**87102 DEFINITIONS - FORMS****87102**

The following forms, which are incorporated by reference, apply to the regulations in Title 22, Division 6, Chapter 8 (Residential Care Facilities for the Elderly).

- (a) LIC 9139 (2/01) - Renewal of Continuing Education Course Approval, Administrator Certification Program.
- (b) LIC 9140 (6/01) - Request for Course Approval, Administrator Certification Program.
- (c) LIC 9141 (5/01) - Vendor Application/Renewal, Administrator Certification Program.
- (d) PUB 325 (3/99) – Your Right To Make Decisions About Medical Treatment.
- (e) Core of Knowledge Guidelines (6/01/01) - RCFE 40-Hour Initial Certification.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1530 and 1569.616(i), Health and Safety Code; and Section 15376, Government Code.



## 87691 MAINTENANCE AND OPERATION (Continued)

87691

Licensed Capacity	Analysis Required	Periodic Subsequent Analysis
Under 6	Initial Licensing	Upon evidence of need
7 through 15	Initial Licensing	Annually
16 through 24	Initial Licensing	Every six months
25 or more	Refer to the county health department for compliance with the California Safe Drinking Water Act, Health and Safety Code, Division 5, Part 1, Chapter 7, Water and Water Systems.	

- (2) Faucets used by residents for personal care such as shaving and grooming shall deliver hot water. Hot water temperature controls shall be maintained to automatically regulate the temperature of hot water used by residents to attain a temperature of not less than 105 degree F (41 degree C) and not more than 120 degree F (49 degree C).
  - (3) Taps delivering water at 125 degree F (52 degree C) or above shall be prominently identified by warning signs.
  - (4) Grab bars shall be maintained for each toilet, bathtub and shower used by residents.
  - (5) Non-skid mats or strips shall be used in all bathtubs and showers.
  - (6) Toilet, handwashing and bathing facilities shall be maintained in operating condition. Additional equipment shall be provided in facilities accommodating physically handicapped and/or nonambulatory residents, based on the residents' needs.
- (f) Solid waste shall be stored and disposed of as follows:
- (1) Solid waste shall be stored, located and disposed of in a manner that will not permit the transmission of a communicable disease or of odors, create a nuisance, provide a breeding place or food source for insects or rodents.

**87691 MAINTENANCE AND OPERATION (Continued)****87691**

- (2) Syringes and needles are disposed of in accordance with the California Code of Regulations, Title 8, Section 5193 concerning bloodborne pathogens.

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- (A) California Code of Regulations, Title 8, Sections 5193(d)(3)(B) through (D) are paraphrased in pertinent part:
1. Shearing or breaking of contaminated needles is prohibited.
  2. Contaminated needles shall not be bent or recapped.
  3. Waste containers shall not be opened or emptied manually.
  4. Immediately or as soon as possible after use, contaminated needles shall be placed in appropriate containers that shall be:
    - a. Rigid;
    - b. Puncture resistant;
    - c. Leakproof on the sides and bottom;
    - d. Portable, if portability is necessary to ensure easy access by the user;
    - e. Labeled as BIOHAZARDOUS WASTE or SHARPS WASTE.

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- (3) All containers, except movable bins, used for storage of solid wastes shall have tight-fitting covers on the containers; shall be in good repair; shall have external handles; and shall be leakproof and rodent-proof.
- (4) Movable bins when used for storing or transporting solid wastes from the premises shall have tight-fitting covers on the containers; shall be in good repair; and shall be rodent-proof unless stored in a room or screened enclosure.

**Article 8. Incidental Medical Services****87700 HEALTH AND SAFETY PROTECTION****87700**

- (a) Acceptance by the licensee of residents with incidental medical needs shall be in accordance with the conditions specified in this article.
- (b) The provisions of this article shall be applicable and in conjunction with Articles 1 through 7 of this chapter.
- (c) Licensees who employ or permit health care practitioners to provide care to residents shall post a visible notice in a prominent location that states, "Section 680 of the Business and Professions Code requires health care practitioners to disclose their name and license status on a name tag in at least 18-point type while working in this facility."

NOTE: Authority cited: Section 1569.30(a), Health and Safety Code. Reference: Sections 1569.2; 1569.30; and 1569.312; Health and Safety Code; and Section 680, Business and Professions Code.

**87701 PROHIBITED HEALTH CONDITIONS****87701**

- (a) In addition to Section 87582(c), persons who require health services or have a health condition including, but not limited to, those specified below shall not be admitted or retained in a residential care facility for the elderly:
  - (1) Stage 3 and 4 pressure sores (dermal ulcers).
  - (2) Gastrostomy care.
  - (3) Naso-gastric tubes
  - (4) Staph infection or other serious infection.
  - (5) Residents who depend on others to perform all activities of daily living for them as set forth in Section 87584.
  - (6) Tracheostomies.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2, 1569.312, and 1569.72, Health and Safety Code.

**87701.1 RESTRICTED HEALTH CONDITIONS****87701.1**

- (a) The licensee may provide care for residents who have any of the following restricted health conditions, or who require any of the following health services:
- (1) Administration of oxygen as specified in Section 87703.
  - (2) Catheter care as specified in Section 87707.
  - (3) Colostomy/ileostomy care as specified in Section 87705.
  - (4) Contractures as specified in Section 87709.
  - (5) Diabetes as specified in Section 87710.
  - (6) Enemas, suppositories, and/or fecal impaction removal as specified in Section 87706.
  - (7) Incontinence of bowel and/or bladder as specified in Section 87708.
  - (8) Injections as specified in Section 87711.
  - (9) Intermittent Positive Pressure Breathing Machine use as specified in Section 87704.
  - (10) Stage 1 and 2 pressure sores (dermal ulcers) as specified in Section 87713(a)(3).
  - (11) Wound care as specified in Section 87713.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2, 1569.312, and 1569.72, Health and Safety Code.

**87702.1 GENERAL REQUIREMENTS FOR ALLOWABLE HEALTH CONDITIONS****87702.1**

- (a) Prior to accepting or retaining a resident with an allowable health condition as specified in Section 87703, Oxygen Administration - Gas and Liquid; Section 87704, Intermittent Positive Pressure Breathing (IPPB) Machine; Section 87705, Colostomy/Ileostomy; Section 87709, Contractures; or Section 87713, Healing Wounds; licensees who have, or have had, any of the following within the last two years, shall obtain Department approval:
- (1) Probationary license;
  - (2) Administrative action filed against them;
  - (3) A Non-Compliance Conference as defined in Section 87101(n) that resulted in a corrective plan of action; or
  - (4) A notice of deficiency concerning direct care and supervision of a resident with a health condition specified in Section 87701.1, Restricted Health Conditions, that required correction within 24 hours.
- (b) The licensee shall complete and maintain a current, written record of care for each resident that includes, but is not limited to, the following:
- (1) Documentation from the physician of the following:
    - (A) Stability of the medical condition(s);
    - (B) Medical condition(s) which require incidental medical services;
    - (C) Method of intervention;
    - (D) Resident's ability to perform the procedure; and
    - (E) An appropriately skilled professional shall be identified who will perform the procedure if the resident needs assistance.
  - (2) The names, address and telephone number of vendors, if any, and all appropriately skilled professionals providing services.
  - (3) Emergency contacts.

**87702.1 GENERAL REQUIREMENTS FOR ALLOWABLE HEALTH CONDITIONS (Continued)****87702.1**

- | (c) In addition to Section 87565(d), facility staff shall have knowledge and the ability to recognize and respond to problems and shall contact the physician, appropriately skilled professional, and/or vendor as necessary.
- | (d) In addition to Section 87587, Reappraisals and Section 87591, Observation of the Resident, the licensee shall monitor the ability of the resident to provide self care for the allowable health condition and document any change in that ability.
- | (e) In addition to Sections 87575(a) and 87590(d) the licensee shall ensure that the resident is cared for in accordance with the physician's orders and that the resident's medical needs are met.
- | (f) The duty established by this section does not infringe on the right of a resident to receive or reject medical care or services as allowed in Section 87572(a)(16).

| NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87703 OXYGEN ADMINISTRATION - GAS AND LIQUID****87703**

- | (a) Except as specified in Section 87702.1(a), the licensee shall be permitted to accept or retain a resident who requires the use of oxygen gas administration under the following circumstances:
    - (1) If the resident is mentally and physically capable of operating the equipment, is able to determine his/her need for oxygen, and is able to administer it him/herself.
- OR
- | (2) If intermittent oxygen administration is performed by an appropriately skilled professional.
  - | (b) In addition to Section 87702.1(b), the licensee shall be responsible for the following:
    - (1) Monitoring of the resident's ongoing ability to operate the equipment in accordance with the physician's orders.
    - (2) Ensuring that oxygen administration is provided by an appropriately skilled professional should the resident require assistance.

**87703 OXYGEN ADMINISTRATION - GAS AND LIQUID (Continued)****87703**

- (3) Ensuring that the use of oxygen equipment meets the following requirements:
- (A) A report shall be made in writing to the local fire jurisdiction that oxygen is in use at the facility.
  - (B) "No Smoking-Oxygen in Use" signs shall be posted in the appropriate areas.
  - (C) Smoking shall be prohibited where oxygen is in use.
  - (D) All electrical equipment shall be checked for defects which may cause sparks.
  - (E) Oxygen tanks that are not portable shall be secured in a stand or to the wall.
  - (F) Plastic tubing from the nasal canula or mask to the oxygen source shall be long enough to allow the resident movement within his/her room but does not constitute a hazard to the resident or others.
  - (G) Oxygen from a portable source shall be used by residents when they are outside of their rooms.
  - (H) Equipment shall be operable.
  - (I) Equipment shall be removed from the facility when no longer in use by the resident.
- (4) Determining that room size can accommodate equipment in accordance with Section 87577.
- (5) Ensuring that facility staff have knowledge of, and ability in the operation of the oxygen equipment.

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**87703 OXYGEN ADMINISTRATION - GAS AND LIQUID (Continued)****87703**

- (c) The licensee shall be permitted to accept or retain a resident who requires the use of liquid oxygen under the following circumstances:
- (1) The licensee obtains prior approval from the licensing agency.
  - (2) If the resident is mentally and physically capable of operating the equipment, is able to determine his/her need for oxygen, and is able to administer it him/herself.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87704 INTERMITTENT POSITIVE PRESSURE BREATHING  
(IPPB) MACHINE****87704**

- (a) Except as specified in Section 87702.1(a), the licensee shall be permitted to accept or retain a resident who requires the use of an IPPB machine under the following circumstances:
- (1) If the resident is mentally and physically capable of operating his/her own equipment and is able to determine his/her own need.

OR

- (2) If the device is operated and cared for by an appropriately skilled professional.
- (b) In addition to Section 87702.1(b), the licensee shall be responsible for the following:
- (1) Monitoring of the resident's ongoing ability to operate the equipment in accordance with the physician's orders.
  - (2) Ensuring that the procedure is administered by an appropriately skilled professional should the resident require assistance.

**87704 INTERMITTENT POSITIVE PRESSURE BREATHING  
(IPPB) MACHINE (Continued)****87704**

- (3) Ensuring that the use of the equipment meets the following requirements:
  - (A) Equipment shall be operable.
  - (B) Equipment shall be removed from the facility when no longer in use by the resident.
- (4) Determining that room size can accommodate equipment in accordance with Section 87577(a)(2)(A).
- (5) Ensuring that facility staff have knowledge of and ability in the operation of the equipment.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87705 COLOSTOMY/ILEOSTOMY****87705**

- (a) Except as specified in Section 87702.1(a), the licensee shall be permitted to accept or retain a resident who has a colostomy or ileostomy under the following circumstances:
    - (1) If the resident is mentally and physically capable of providing all routine care for his/her ostomy, and the physician has documented that the ostomy is completely healed.
- OR
- (2) If assistance in the care of the ostomy is provided by an appropriately skilled professional.
- (b) In addition to Section 87702.1(b), the licensees shall be responsible for the following:
  - (1) Ensuring that ostomy care is provided by an appropriately skilled professional.
    - (A) The ostomy bag and adhesive may be changed by facility staff who have been instructed by the professional.

<b>87705</b>	<b>COLOSTOMY/ILEOSTOMY (Continued)</b>	<b>87705</b>
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(B) There shall be written documentation by an appropriately skilled professional outlining the instruction of the procedures delegated and the names of the facility staff who have been instructed.

(C) The professional shall review the procedures and techniques no less than twice a month.

(2) Ensuring that used bags are discarded as specified in Section 87691(f)(1).

(3) Privacy shall be afforded when ostomy care is provided.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

<b>87706</b>	<b>ENEMA AND/OR SUPPOSITORY AND FECAL IMPACTION REMOVAL</b>	<b>87706</b>
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(a) The licensee shall be permitted to accept or retain a resident who requires manual fecal impaction removal, enemas, or use of suppositories under the following circumstances:

(1) Self care by the resident.

(2) Manual fecal impaction removal, enemas, and/or suppositories shall be permitted if administered according to physician's orders by either the resident or an appropriately skilled professional.

(b) In addition to Section 87702.1, the licensee shall be responsible for the following:

(1) Ensuring that the administration of enemas or suppositories or manual fecal impaction removal is performed by an appropriately skilled professional should the resident require assistance.

(2) Privacy shall be afforded when care is being provided.

NOTE: Authority cited: Section 1569.30(a), Health and Safety Code. Reference: Sections 1569.2(a), (e), and (j); 1569.30(b); and 1569.312; Health and Safety Code.

**87707 INDWELLING URINARY CATHETER/CATHETER PROCEDURE****87707**

- (a) The licensee shall be permitted to accept or retain a resident who requires the use of an indwelling catheter under the following circumstances:
- (1) If the resident is physically and mentally capable of caring for all aspects of the condition except insertion and irrigation.
    - (A) Irrigation shall only be performed by an appropriately skilled professional in accordance with the physician's orders.
    - (B) A catheter shall only be inserted and removed by an appropriately skilled professional under physician's orders.
- (b) In addition to Section 87702.1, General Requirements for Allowable Health Conditions, the licensee shall be responsible for the following:
- (1) Ensuring that insertion and irrigation of the catheter shall be performed by an appropriately skilled professional.
  - (2) Ensuring that the bag and tubing are changed by an appropriately skilled professional should the resident require assistance.
    - (A) The bag may be emptied by facility staff who receive instruction from an appropriately skilled professional.
    - (B) There shall be written documentation by an appropriately skilled professional outlining the instruction of the procedures delegated and the names of the facility staff who have been instructed.
    - (C) The licensee shall ensure that the professional reviews staff performance as often as necessary, but at least annually.
  - (3) Ensuring that waste materials shall be disposed of as specified in Section 87691(f)(1).
  - (4) Privacy shall be maintained when care is provided.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87708 MANAGED BOWEL AND BLADDER INCONTINENCE****87708**

- (a) The licensee shall be permitted to accept or retain a resident who has a manageable bowel and/or bladder incontinence condition under the following circumstances:

- (1) The condition can be managed with any of the following:

- (A) Self care by the resident.
- (B) A structured bowel and/or bladder retraining program to assist the resident in restoring a normal pattern of continence.
- (C) A program of scheduled toileting at regular intervals.
- (D) The use of incontinent care products.

- (b) In addition to Section 87702.1, General Requirements for Allowable Health Conditions, the licensee shall be responsible for the following:

- (1) Ensuring that residents who can benefit from scheduled toileting are assisted or reminded to go to the bathroom at regular intervals rather than being diapered.
- (2) Ensuring that incontinent residents are checked during those periods of time when they are known to be incontinent, including during the night.
- (3) Ensuring that incontinent residents are kept clean and dry and that the facility remains free of odors from incontinence.
- (4) Ensuring that bowel and/or bladder programs are designed by an appropriately skilled professional with training and experience in care of elderly persons with bowel and/or bladder dysfunction and development of retraining programs for restoration of normal patterns of continence.
- (5) Ensuring that the appropriately skilled professional developing the bowel and/or bladder program provide training to facility staff responsible for implementation of the program.

**87708 MANAGED BOWEL AND BLADDER INCONTINENCE (Continued)****87708**

- (6) Ensuring that re-assessment of the resident's condition and the evaluation of the effectiveness of the bowel and/or bladder program be performed by an appropriately skilled professional.
- (7) Ensuring that the condition of the skin exposed to urine and stool is evaluated regularly to ensure that skin breakdown is not occurring.
- (8) Privacy shall be afforded when care is provided.
- (9) Ensuring that fluids are not withheld to control incontinence.
- (10) Ensuring that an incontinent resident is not catheterized to control incontinence for the convenience of the licensee.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2, 1569.31, and 1569.312, Health and Safety Code.

**87709 CONTRACTURES****87709**

- (a) Except as specified in Section 87702.1(a), the licensee shall be permitted to accept or retain a resident who has contractures under the following circumstances:

- (1) If the contractures do not severely affect functional ability and the resident is able to care for the contractures by him/herself.

OR

- (2) If the contractures do not severely affect functional ability and care and/or supervision is provided by an appropriately skilled professional.

<b>87709</b>	<b>CONTRACTURES (Continued)</b>	<b>87709</b>
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- (b) In addition to Section 87702.1(b), the licensee shall be responsible for the following:
- (1) Ensuring that range of motion or other exercise(s), if prescribed by the physician or physical therapist, are performed by an appropriately skilled professional or by facility staff who receive instruction from an appropriately skilled professional.
  - (2) Ensuring that prior to facility staff performing range of motion or other prescribed exercises, there shall be written documentation by the appropriately skilled professional, outlining instruction on the procedures and the names of the facility staff receiving instruction.
  - (3) Ensuring that the professional reviews staff performance as often as necessary, but at least annually.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

<b>87710</b>	<b>DIABETES</b>	<b>87710</b>
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- (a) The licensee shall be permitted to accept or retain a resident who has diabetes if the resident is able to perform his/her own glucose testing with blood or urine specimens, and is able to administer his/her own medication including medication administered orally or through injection, or has it administered by an appropriately skilled professional.
- (b) In addition to Section 87702.1, General Requirements for Allowable Health Conditions, the licensee shall be responsible for the following:
- (1) Assisting residents with self-administered medication as specified in Section 87575.
  - (2) Ensuring that sufficient amounts of medicines, testing equipment, syringes, needles and other supplies are maintained and stored in the facility as specified in Section 87575(c).
  - (3) Ensuring that syringes and needles are disposed of as specified in Section 87691(f)(2).
  - (4) Providing modified diets as prescribed by a resident's physician as specified in Section 87576(b)(7).

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87711 INJECTIONS****87711**

- (a) The licensee shall be permitted to accept or retain a resident who requires intramuscular, subcutaneous, or intradermal injections if the injections are administered by the resident or by an appropriately skilled professional.
- (b) In addition to Section 87702.1, General Requirements for Allowable Health Conditions, the licensees who admit or retain residents who require injections shall be responsible for the following:
  - (1) Ensuring that injections are administered by an appropriately skilled professional should the resident require assistance.
  - (2) Ensuring that sufficient amounts of medicines, test equipment, syringes, needles and other supplies are maintained in the facility and are stored as specified in Section 87575(c).
  - (3) Ensuring that syringes and needles are disposed of as specified in Section 87691(f)(2).

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

**87712 PROTECTIVE SUPERVISION****87712**

Renumbered to Section 87724 by Manual Letter No. CCL-95-12, effective 11/16/95.



<b>87713</b>	<b>HEALING WOUNDS</b>	<b>87713</b>
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- (a) Except as specified in Section 87702.1(a), the licensee shall be permitted to accept or retain a resident who has a healing wound under the following circumstances:
- (1) When care is performed by or under the supervision of an appropriately skilled professional.
  - (2) When the wound is the result of surgical intervention and care is performed as directed by the surgeon.
  - (3) Residents with a stage one or two pressure sore (dermal ulcer) must have the condition diagnosed by an appropriately skilled professional.
    - (A) The resident shall receive care for the pressure sore (dermal ulcer) from an appropriately skilled professional.
    - (B) All aspects of care performed by the medical professional and facility staff shall be documented in the resident's file.
- (b) A skin tear is not a healing wound.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1569.2 and 1569.312, Health and Safety Code.

<b>87714</b>	<b>TRANSFER DEPENDENCY</b>	<b>87714</b>
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Repealed by Manual Letter No. CCL-92-10, effective 7/21/92.

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